IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

THURSDAY, THE 22ND NOVEMBER 2007 / 1ST AGRAHAYANA 1929

WP(C).No. 32810 of 2004(E)

PETITIONER:

P.K.MADHU, SUPERINTENDENT OF POLICE
(NON IPS), VACB SOUTHERN RANGE, TRIVANDRUM.

BY ADV. SRI.P.C.SASIDHARAN

RESPONDENTS:

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1. STATE OF KERALA, REP. BY THE SECRETARY
   TO GOVERNMENT, HOME(A) DEPARTMENT, SECRETARIAT,
   TRIVANDRUM.

2. THE DIRECTOR GENERAL OF POLICE, KERALA,
   POLICE HEAD QUARTERS, TRIVANDRUM.

3. K.RAMABHADRAN, SUPERINTENDENT OF
   POLICE (NON IPS), SB(CID), ERNAKULAM RANGE,
   S.R.M.ROAD, ERNAKULAM, KOCHI-18.

4. THE UNION PUBLIC SERVICE COMMISSION,
   REP. BY ITS SECRETARY, OFFICE OF THE U.P.S.C.,
   SHAJAHAN ROAD, NEW DELHI.

BY ADV. SRI.N.NANDAKUMARA MENON
SRI.K.VINODKUMAR
SRI.P.K.MANOJKUMAR
SRI.A. DINESH RAO, ADDL.CGSC
GOVERNMENT PLEADER, SMT.PUZHAKKARA MUHAMMED

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 22/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.32810/2004/E

APPENDIX

PETITIONER'S EXHIBITS:

EXT. P1: COPY OF THE ORDER G.O.(P) NO.45/91/P & ARD DATED 30.12.91.

EXT. P2: COPY OF THE ORDER ISSUED BY THE GOVERNMENT TO THE 3RD RESPONDENT DATED 26.10.2002.

EXT. P3: COPY OF THE LIST OF ELIGIBLE PERSONS FOR BEING CONSIDERED FOR CONFIRMENT OF IPS AS ON 1.1.2004 FORWARDED BY THE D.G.P. BY COVERING LETTER NO.A1-48356/04 DATED 16.6.2004.

EXT. P4: COPY OF THE JUDGMENT IN W.P.(C) NO.29543/2004 DATED 8.10.2004 OF THIS HON'BLE COURT.

EXT. P5: COPY OF THE ORDER ISSUED BY THE GOVERNMENT IN FAVOUR OF THE 3RD RESPONDENT DATED 30.10.2004.

EXT. P6: COPY OF G.O.(RT) NO.1000/2000/HOME. DTD. 13/3/2000.

EXT. P7: COPY OF THE COMMUNICATION NO.37386/A2/2001/HOME DTD.30/1/2002.

RESPONDENT'S EXHIBITS:

EXT. R3(A): COPY OF THE APPLICATION NO.6186 DATED 20-4-1992 SUBMITTED BY THE 3RD RESPONDENT BEFORE THE QUILON MUNICIPALITLY.

EXT. R3(B): COPY OF THE BIRTH CERTIFICATE DATED 15.12.1992 ISSUED TO THE 3RD RESPONDENT BY THE QUILON MUNICIPALITY.

EXT. R3(C): COPY OF THE REPRESENTATION DATED 17-12-1992 SUBMITTED BY THE 3RD RESPONDENT BEFORE THE GOVERNMENT FOR CORRECTION OF THE DATE OF BIRTH OF THE 3RD RESPONDENT.

EXT. R3(D): COPY OF THE RELEVANT PAGE OF THE S.S.L.C. BOOK OF THE 3RD RESPONDENT SHOWING THE CORRECT DATE OF BIRTH.

EXT. R3(E): COPY OF THE GOVERNMENT ORDER G.O.(RT) NO.5369/92/G.EDN. DATED 30-12-1992 CONDONING THE DELAY IN FILING THE APPLICATION FOR CORRECTION OF THE ENTRY REGARDING THE DATE OF BIRTH OF THE 3RD RESPONDENT.

EXT. R3(F): COPY OF THE ORDER NO.48767/A2/2002/HOME DTED 26-10-2002 PASSED BY THE GOVERNMENT.

EXT. R3(G): COPY OF THE ORDER G.O.(MS) NO.154/95/G.EDN. DATED 27-5-1995 ISSUED BY THE GOVERNMENT IN THE CASE OF ONE SRI.P.P.NARAYANAN H.S.A. GOVT. GIRLS H.S.MUDAYI.

EXT. R3(H): COPY OF THE ORDER G.O.(RT) NO.1031/98/H.EDN.DATED 14-9-1998 ISSUED BY THE GOVERNMENT IN THE CASE OF ONE ZACHARIA, ST.ALBERT'S COLLEGE, ERNAKULAM.

/TRUE COPY/

P.A. TO JUDGE

JP

KURIAN JOSEPH J.

Writ Petition (Civil) No.32810 of 2004

Dated 22nd November, 2007.

J U D G M E N T

Petitioner approached this court aggrieved by the order passed by the Government, correcting the date of birth of the third respondent. Petitioner apprehended that the steps thus taken by the Government will stand in the way of the petitioner being conferred with I.P.S. It is brought to the notice of this court that the petitioner has already been conferred with I.P.S. in the year 2005. It is also brought to this court that the third respondent has not so far been considered and he has retired also. In that view of the matter, it is not necessary to consider the various contentions taken in the writ petition. It is closed, leaving the contentions open.

KURIAN JOSEPH, JUDGE.

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